IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO.89 OF 2006

IN

PETITION NO.68 OF 2006

Tejal Hitendra Saraiya. ... Petitioner

vs.

1. Smt.Maniben Manubhai Saraiya & others. ... Respondents

---

Mr.B.K.Padwal, for Petitioner.

Mr.Naresh Jadhav, for Respondents 2 and 3.

**CORAM: D.K.DESHMUKH,J.**

**DATED: 5th October,2006**

**P.C**.:-

1. The respondent no.1 is served. Affidavit of service has been filed. Respondent no.1 is not appearing. Respondent no.1 has not filed any reply. Respondent nos.2 and 3 are also served but they have not filed any reply. I have perused the affidavit filed in support of the

notice of motion. In the absence of any reply filed by respondent no.1 to 3, the averments made in the affidavit filed in support of notice of motion are to be accepted at face value. Accepting those averments and the documents filed alongwith the affidavit filed in support of notice of motion at face value, the notice of motion is granted in terms of prayer clause (a). Notice of motion is disposed of.

C.C. be expedited.

---